

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

VINCENT CLARK,

Petitioner,

Case No. 1:07-cv-752

v.

Honorable Gordon J. Quist

SHERRY BURT,

Respondent.

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**JUDGMENT**

In accordance with the Opinion entered this day:

**IT IS ORDERED** that Petitioner's application for habeas corpus relief be DISMISSED without prejudice pursuant to Rule 4 of the Rules Governing § 2254 Cases for lack of exhaustion of available state-court remedies.

**IT IS FURTHER ORDERED** that a certificate of appealability is DENIED because a reasonable jurist could not conclude either that the district court erred in dismissing the petition for failure to exhaust or that the petitioner should be allowed to proceed further. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Dated: October 11, 2007

/s/ Gordon J. Quist

Gordon J. Quist  
United States District Judge